

# City of Albany

## Planning and Zoning Commission Minutes October 8, 2014 Meeting

Note: These minutes are subject to Planning and Zoning Commission approval. The minutes are not verbatim. An audiotape of the meeting is available for public review.

### Regular Meeting

- 1. CALL TO ORDER-** The meeting of the Planning and Zoning Commission was called to order by Chair Donaldson in the City Council Chambers at 7:00 p.m. on Wednesday, October 8, 2014.

- 2. PLEDGE OF ALLEGIANCE**

- 3. ROLL CALL**

Present: Arkin, Donaldson, Eisenmann, Pilch  
Absent: Moss  
Staff present: City Planner Anne Hersch

- 4. CONSENT CALENDAR**

(Consent Calendar items are considered routine and will be enacted by one motion. By approval of the Consent Calendar, the staff recommendations will be adopted unless otherwise modified by the Commission. There will be no separate discussion on these items unless a Commission Member or a member of the audience requests removal of the items from the Consent Calendar.)

- A. Resolution 2014-06 recommending that the City Council adopt Code amendments related to the City's Wireless Ordinance** - The Planning & Zoning Commission review the proposed redline changes to Section 20.20.100 "Wireless Communications Facilities" and forward a recommendation to City Council to amend Section 20.20.100 of the Albany Municipal Code.

**Recommendation:** *\*\*Continue to a date certain of October 22, 2014 so that staff may discuss the proposed amendments with interested parties involved in the Wireless Ordinance update.\*\**

**CEQA:** *Categorically exempt pursuant to Section 15303, "New Construction or Conversion of Small Structures" of the CEQA Guidelines*

Anne Hersch asked that Item 4A be continued to a date uncertain.

- B. PA 14-026 Amendment to Design Review and Conditional Use Permit Approval for 715 Hillside-** The applicant received Design Review & Conditional Use Permit approval from the Planning & Zoning Commission on May 28, 2014 to convert the existing carport to a garage and add

1 206 sq. ft. to the new garage. A condition of approval requires the  
2 applicant to present right of way improvements to the Planning &  
3 Zoning Commission for review. The applicant is proposing curb, gutter,  
4 and sidewalk improvements. The addition to the home has also been  
5 reduced by 80 sq. ft. and is now 126 sq. ft. total. This area will provide  
6 storage with in the garage.  
7

8 **Recommendation:** *The Planning & Zoning Commission review and*  
9 *approve the proposed project subject to the attached findings and*  
10 *conditions of approval.*

11  
12 **CEQA:** *Categorically exempt pursuant to Section 15303 "New*  
13 *Construction or Conversion of Small Structures," of the CEQA Guidelines*  
14

15 **Motion to approve Consent Calendar:** Arkin

16 With the amendment for Item 4A to be continued to date "uncertain" instead of  
17 "certain".

18 **Seconded by:** Eisenmann

19 AYES: Arkin, Donaldson, Eisenmann, Pilch

20 NAYES: None.

21 **Motion Passed, 4-0.**  
22

23 **5. PUBLIC COMMENT**

24 For persons desiring to address the Commission on an item that is not on the agenda  
25 please note that each speaker is limited to three (3) minutes. The Brown Act limits the  
26 Commission ability to take and/or discuss items that are not on the agenda; therefore,  
27 such items are normally referred to staff for comment or to a future agenda.  
28

29 No one wished to speak.  
30

31 **6. DISCUSSIONS & POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING ITEMS**

32 (Staff discussion and Commission member announcement of status of previous  
33 agenda items and requests for future agenda items. No public comment will be  
34 taken on requests for future agenda items).  
35

36 **A. Recommendation to City Council on Draft Housing Element for the 2015-**  
37 **2023 Planning Period-** The Planning & Zoning Commission will review and  
38 take public comment on a draft of the Housing Element for the 2015-2023  
39 planning period. The Commission will consider making a  
40 recommendation to the City Council that the draft be forwarded to the  
41 California Department of Housing and Community Development for  
42 review.

43 **Recommendation:** *The Planning & Zoning Commission review and forward*  
44 *a recommendation to the City Council to send the draft Housing Element*  
45 *for the 2015-2023 planning period to the State Department of Housing &*  
46 *Community Development for review.*

1  
2 ***CEQA: An Initial Study will be prepared at a later date pursuant to the***  
3 ***California Environmental Quality Act Guidelines (CEQA).***  
4

5 **Barry Miller**, General Plan Consultant- presented the staff report, detailing the context  
6 of the housing element, recent meetings, and highlights of changes. He provided an  
7 overview of the edits made in response to 9/24 input including strengthening language,  
8 adding "Affordable Housing Week", and maintaining staffing levels to implement  
9 programs.

10  
11 Commissioner Eisenmann- asked about timing and what would happen if items  
12 assumed to be approved in January were not approved. Miller said these items would  
13 be added to the Housing Element before it's adopted.

14  
15 Commissioner Arkin- noted that the former City maintenance site was not added to the  
16 list possible development sites. Miller said that there was a policy recently added where  
17 this site could be added in the future, however, it was not added at this time because  
18 of CEQA and uncertainty regarding its land use designation.

19  
20 PUBLIC HEARING OPENED.

21  
22 **Rev. Kevin Omi**, Albany resident and pastor of Sycamore Congregational Church-  
23 supported the large number of positive changes that encouraged affordable housing,  
24 particularly the quantified objectives by income categories. Omi encouraged the  
25 creation of an interim set of goals and outreach programs for Albany's Asian  
26 population.

27  
28 **Alexa Hauser**- was pleased with the changes made with the Diverse Housing Working  
29 Group's recommendations in mind. She thanked the Commission for their work and  
30 asked what the Commissioners' vision was for the Housing Element. She asked why only  
31 copies of only one member of the public's letters were available in the back.

32  
33 Anne Hersch noted there had been some technical difficulties in making copies of the  
34 various letters from the public available, but assured Houser the commissioners had  
35 received all the correspondence.

36  
37 PUBLIC HEARING CLOSED.

38  
39 The Commission went through the Housing Element by chapter, making various factual  
40 edits and typo corrections.

41  
42 Commissioner Pilch- asked that the dollar amounts that related to income levels be  
43 referenced in Chapter 1.

44  
45 In regard to Houser's question, Commissioner Arkin said that the process the City has  
46 gone through will hopefully provide steps towards removing barriers that keep housing

1 from being actively developed, help actively develop housing, and start actual  
2 building. Chair Donaldson agreed with Arkin, but mentioned issues regarding height  
3 limits and parking may come up.

4  
5 Commissioner Eisenmann asked about a decrease in population found in the draft, but  
6 Miller explained these numbers were taken from the Finance department's estimates  
7 and were likely not statistically significant. Commissioner Arkin suggested it might be  
8 worth noting that in 2020 all new residential housing will be required to be net zero  
9 energy. The Commission briefly discussed the public art fee and Miller noted the  
10 possibility for this fee to be waived for affordable housing and other projects where the  
11 money would best be allocated elsewhere. Commissioner Pilch asked about  
12 Affordable Housing Week and was concerned about impacts on staff time. Chair  
13 Donaldson stated having a housing advocate on staff would be his first priority, but felt  
14 even outreaching to affordable housing developers and other experts in the field would  
15 be more beneficial than a public forum. Miller noted there was already an Affordable  
16 Housing Week in the East Bay and it would probably not take much staff time for  
17 someone to attend these meetings.

18  
19 Overall, the Commission agreed with increasing the floor area ratio on smaller lots and  
20 larger lots with second units. Other topics discussed included encouraging and  
21 incentivizing redevelopment at the San Pablo Avenue and Solano Avenue node and  
22 possible code compliance issues with tiny homes.

23  
24 **Motion to recommend to City Council the Draft Housing Element for 2015-2023 planning**  
25 **period with the edits as discussed this evening:** Pilch

26 Seconded by: Arkin

27 -with note that the draft be forwarded to State Housing and Community Development  
28 for review

29 AYES: Arkin, Donaldson, Eisenmann, Pilch

30 NAYES: None.

31 **Motion passed, 4-0.**

32  
33 **7. NEW BUSINESS**

34 **A. PA 13-070 Design Review for 1357 Marin Ave. Second Story Addition-**The  
35 applicant is seeking Design Review approval for a second story addition  
36 located at 1357 Marin. The subject site is a 4,600 sq. ft. lot with a 1,112 sq. ft.  
37 two bedroom and one bathroom home. The addition is 1,139 sq. ft. and will  
38 include 205 sq. ft. of new living space on the first floor and a 869 sq. ft second  
39 floor. The second floor plan includes two new bedrooms and one new  
40 bathroom. The first floor will be reconfigured to accommodate family living  
41 space. The overall building height is proposed to increase from 15' to 24'4".  
42 This will result in a three bedroom, two bathroom, 2,260 sq. ft. home. The  
43 existing detached 440 sq. ft. two-car garage is proposed to remain. The  
44 Commission has previously reviewed the project and provided feedback to  
45 the applicant. The applicant has hired a new architect to resolve outstanding

1 design issues. The project now includes an enclosed front porch, built in  
2 planters, and front yard terrace.

3  
4 **Recommendation: The Planning & Zoning Commission review and**  
5 **approve the proposed project subject to the attached findings and**  
6 **conditions of approval.**

7  
8 **CEQA: Categorically exempt pursuant to Section 15303 "New**  
9 **Construction or Conversion of Small Structures," of the CEQA Guidelines**

10 Anne Hersch presented the staff report.

11  
12 **Jason Kaldis**, project architect- explained the reasoning behind various aspects of the  
13 plan. He noted that because of the front grade changes that were characteristic of  
14 houses on that part of Marin, the stairs out were to be brought out farther and a three ft.  
15 retaining wall was proposed.

16  
17 Commissioner Arkin- thought the horizontal window above the tub did not fit in with the  
18 rest of the building. The Commission suggested dividing the window into pieces or  
19 having a taller ceiling in that area.

20  
21 Kaldis answered questions from the Commissioners regarding the extension on the  
22 South side driveway area and the corbel detail.

23  
24 PUBLIC HEARING OPENED.

25 No one wished to speak.

26 PUBLIC HEARING CLOSED.

27  
28 Commissioner Eisenmann- supported the project and liked various details about it. She  
29 asked the architect to consider what he wants to do with the color of the stucco. She  
30 asked if there had been communications with the neighbors about the porch.

31  
32 Commissioner Pilch- supported the project as well.

33  
34 Chair Donaldson- commended Kaldis on the design. He noted there was a lot of  
35 hardscape on this project and said he would like more plantings and landscaping.

36  
37 Commissioner Arkin- noted the added open porch was within the zoning ordinance.

38  
39 **Motion to approve Item 7A:** Arkin

40 -with additional condition that the proportion of the windows on bay on the west side  
41 of the building be addressed per Commission discussion to satisfaction of City staff  
42 review at building permit submittal

43 Seconded by: Pilch

44 AYES: Arkin, Donaldson, Eisenmann, Pilch

45 NAYES: None.

46 **Motion Passed, 4-0.**

1  
2 **B. PA 14-054 Design Review for 420 Evelyn-** The applicant is seeking Design  
3 Review approval for a 496 sq. ft. rear addition at 420 Evelyn. The subject site a  
4 3,750 sq. ft. lot with an existing single-family home built in 1928. The applicant  
5 is proposing to add a master suite and office at the rear of the existing home  
6 and will reconfigure the existing floor plan. This will result in a three bedroom,  
7 two bathroom home with a maximum height of 19'5". The existing  
8 architecture will remain the same. Two off-street parking spaces will be  
9 provided in tandem in the adjacent driveway.

10  
11 ***Recommendation: The Planning & Zoning Commission review and***  
12 ***approve the proposed project subject to the attached findings and***  
13 ***conditions of approval.***

14  
15 ***CEQA: Categorically exempt pursuant to Section 15303 "New***  
16 ***Construction or Conversion of Small Structures," of the CEQA Guidelines***

17  
18 Anne Hersch presented the staff report.

19  
20 Commissioner Arkin- noted the lot coverage was below 50% in R-3 district and asked  
21 about the rear yard coverage requirements. Anne Hersch said the requirement still  
22 applies but this project would not be able to do any additional structures in the rear  
23 yard.

24  
25 **James Iry**, property owner- explained the addition was to accommodate a little office  
26 and bedroom space.

27  
28 **John Cowee**, project architect- explained various details of the plan including: parking  
29 in the rear to meet code requirements, demolition of existing garage, same as existing  
30 roofline and details, all new windows with one window increased in size to meet egress  
31 requirements, and same as existing landscaping with the exception of a few removed  
32 trees. Chair Donaldson asked about the consideration for multifamily use but Cowee  
33 said there were budget issues and this was the solution that met the applicants' needs.  
34 Cowee asked City staff about the soil report and drainage and sewer requirements.  
35 Anne Hersch indicated there was a soils report exception form that they could discuss in  
36 the building permit phase and a hydrologist would not be needed for the sewer  
37 requirement.

38  
39 PUBLIC HEARING OPENED.

40 No one wished to speak.

41 PUBLIC HEARING CLOSED.

42  
43 Commissioner Eisenmann- asked about parking space size requirements as she wanted  
44 to allow for more yard space. Commissioner Arkin said he was inclined to keep the  
45 space as is.

46

1 **Motion to approve Item 7B:** Pilch  
2 Seconded by: Eisenmann  
3 AYES: Arkin, Donaldson, Eisenmann, Pilch  
4 NAYES: None.  
5 **Motion passed, 4-0.**

6  
7 **C. Resolution of Intention to Amend the Planning & Zoning and Implement**  
8 **Programs Identified in the 2007-2014 Housing Element-** The Planning and  
9 Zoning Code requires as a procedural step that the Commission act on a  
10 Resolution of Intention prior to making a recommendation to the City on  
11 amendments to the Planning and Zoning Code. The resolution of intention  
12 applies to proposed Code changes consistent with the policies contained in  
13 the 2007-2014 Housing Element. Substantive discussion on the amendments to  
14 the Code and preparation of a recommendation to the City Council should  
15 occur at or following the public hearing.

16  
17 ***Recommendation: The Planning & Zoning Commission review and adopt***  
18 ***the Resolution of Intention.***

19  
20 ***CEQA: On March 3, 2014 the City Council approved Resolution 2014-18***  
21 ***adopting a Mitigated Negative Declaration for the 2007-2014 Housing***  
22 ***Element.***

23  
24 Anne Hersch presented the staff report.

25  
26 PUBLIC HEARING OPENED.

27  
28 **Alexa Houser-** urged the commission to state their intention officially before their  
29 terms ended.

30  
31 PUBLIC HEARING CLOSED.

32  
33 **Motion to approve item 7C:** Pilch  
34 Seconded by: Eisenmann  
35 AYES: Arkin, Donaldson, Eisenmann, Pilch  
36 NAYES: None.  
37 **Motion passed, 4-0.**

38  
39 **8. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION**

40 (Staff discussion and Commission member announcement of status of previous  
41 agenda items and requests for future agenda items. No public comment will be  
42 taken on requests for future agenda items).

43 **A. Advisory Body Appointment Procedures**

44 Anne Hersch said she would need to email the Commission materials from the  
45 City Clerk regarding this item.

46

